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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 SAMUEL WILLIAM DONAGHE,
10 Plaintiff,
11 v.
12 Dr. HENRY RICHARDS *et al.*,
13 Defendants.

Case No. C07-5440RBL

ORDER ADOPTING
REPORT AND
RECOMMENDATION

14 The Court, having reviewed, the Report and Recommendation of Magistrate Judge J. Kelley
15 Arnold, objections to the report and recommendation, if any, and the remaining record, does hereby
16 find and ORDER:

17 (1) Plaintiff's "Appeal" [Dkt. #11] of Magistrate Judge J. Kelley Arnold's Order to
18 Amend [Dkt. #9] is **DENIED**. Plaintiff's Motion for Stay [Dkt. #13] is **DENIED**.
19 (2) The Court adopts the Report and Recommendation;
20 (3) The application to proceed *in forma pauperis* is **DENIED**. Plaintiff has thirty days
21 from the date of this order to pay the full \$350.00 dollar filing fee. If the filing fee is
not received in thirty days, the clerk's office is instructed to dismiss this action
WITHOUT PREJUDICE

22 The Clerk is directed to send copies of this Order to plaintiff, and to the Hon. J. Kelley
23 Arnold and note a date on Judge Arnold's calendar thirty days from today so this action can be
24 tracked.

25 DATED this 19th day of October, 2007.

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27 RONALD B. LEIGHTON
28 UNITED STATES DISTRICT JUDGE